

Article - Natural Resources

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§5–1202.2.

(a) In this section the following words have the meanings indicated.

(1) “Grantee in interest” means the Maryland Environmental Trust.

(2) “Spoil”, “Baltimore County tributary spoil”, “redeposit”, and “Baltimore Harbor” have the meanings indicated in § 5-1101(a) of the Environment Article.

(b) Within 15 days after July 1, 1981 the State shall grant an easement to the Hart-Miller-Pleasure Island chain to the grantee in interest. The easement shall be for purposes consistent with the covenants required by this subsection and enforcement of these purposes.

(1) The grantee in interest shall covenant to allow the redeposit of spoil and the redeposit of Baltimore County tributary spoil to take place at the Hart-Miller-Pleasure Island chain, subject to the limitations provided in §§ 5-1101 through 5-1104 of the Environment Article;

(2) Where not inconsistent with the covenant described in paragraph (1) of this subsection, the grantee in interest shall covenant to preserve and maintain the Hart-Miller-Pleasure Island chain as an open area by prohibiting development except that which is necessary for proper recreational use and the construction of any dikes necessary for the dumping of spoil;

(3) The grantee in interest shall covenant that if the Hart-Miller-Pleasure Island chain is ever used for purposes inconsistent with the preservation and maintenance of the island chain as an open area, or with any of the covenants described in this subsection, the easement shall cease;

(4) The grantee in interest shall covenant to allow the State to establish and maintain park and recreational facilities on the Hart-Miller-Pleasure Island chain and to assist the State in making these facilities available to the public for recreational and educational purposes;

(5) The grantee in interest shall covenant to allow the Hart-Miller-Pleasure Island Citizens Oversight Committee established under § 5-1104 of the Environment Article to:

(i) Monitor the redeposit of spoil and Baltimore County tributary spoil at the Hart-Miller-Pleasure Island chain in accordance with § 5-1104(c) of the Environment Article; and

(ii) Hear and dispose of complaints lodged by individuals affected by the redeposit of spoil and Baltimore County tributary spoil.

(6) The grantee in interest shall covenant that if, during the life of its easement to the Hart-Miller-Pleasure Island chain, the grantee in interest ceases to exist, the easement shall cease.

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